

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.7635 OF 2018

ORDER

Heard learned counsel for the petitioners and the learned Government Pleader for the respondents.

It is the case of the petitioners that they had ancestral property of an extent of Acs.3.44 cents in Sy.No.793 situated in Musunuru Village, Kavali Mandal, SPSR Nellore District and they are in possession of the same. After demise of their parents, an extent of Ac.0.86 cents has fallen to the share of each of the petitioners. The Tahsildar, Kavali acknowledged the said partition and issued pattadar passbooks and title deeds. When they moved a convenience deed for registration, the third respondent refused to receive the same without assigning any reasons. Hence, the present writ petition is filed.

It is needless to observe that when a properly drafted document is presented for registration complying with all formalities, the third respondent has no alternative except to receive the said document and he cannot refuse to receive the document.

In the circumstances, the writ petition is disposed of directing the third respondent to receive the document, if any, presented by the petitioners and take action in accordance with the provisions of the Registration Act. If the third respondent cannot register the said document for any reason, he has to make an endorsement to that effect and pass an order in accordance with Section 71 of the Registration Act.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

Date : 08.03.2018

ssp